

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

MICHAEL ROSSI,

NO. 18-CV-3057 (DWF/DTS)

Plaintiff,

v.

REPORT AND RECOMMENDATION

ST. PAUL POST OFFICE,

Defendant.

---

Michael Rossi, PO Box 3854, St. Paul, Minnesota 5510, Pro Se Plaintiff.

David W. Fuller, U.S. Attorney's Office, 300 South Fourth Street, Suite 600, Minneapolis, Minnesota 55415, for Defendants.

---

On Tuesday, January 22, 2019, the Court held a hearing on Defendant St. Paul Post Office's Motion to Dismiss for Lack of Jurisdiction. Plaintiff Michael Rossi did not appear, nor has he otherwise responded to the motion. Accordingly, the Court recommends dismissal of the matter without prejudice for failure to prosecute.

For the reasons stated on the record, the Court recommends that:

1. This action be DISMISSED WITHOUT PREJUDICE pursuant to Fed. R. Civ. P. 41(b);
2. Defendant's Motion to Dismiss for Lack of Jurisdiction [Docket No. 4] be DENIED AS MOOT.

Dated: January 23, 2019

s/David T. Schultz  
DAVID T. SCHULTZ  
United States Magistrate Judge

**NOTICE**

**Filing Objections:** This Report and Recommendation is not an order or judgment of the District Court and is therefore not appealable directly to the Eighth Circuit Court of Appeals.

Under Local Rule 72.2(b)(1), “a party may file and serve specific written objections to a magistrate judge’s proposed finding and recommendations within 14 days after being served a copy” of the Report and Recommendation. A party may respond to those objections within 14 days after being served a copy of the objections. LR 72.2(b)(2). All objections and responses must comply with the word or line limits set for in LR 72.2(c).